

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:14-CT-3111-D

ROBIN VIRGINIA MEADOWS COLLINS,)

Plaintiff,)

v.)

PAT GREEN, et al.,)

Defendants.)

ORDER

On November 28, 2017, the court denied H.M. Edwards's motion for summary judgment and referred the matter to United States Magistrate Judge Jones for a court-hosted settlement conference [D.E. 61]. On January 22, 2018, Robin Virginia Meadows Collins ("Collins" or "plaintiff") failed to appear at the settlement conference [D.E. 64].

On January 23, 2018, Judge Jones ordered Collins to show cause concerning her failure to appear and warned Collins that her failure to respond could result in sanctions including the dismissal of the action and an award of costs and attorney's fees [D.E. 63]. Collins failed to respond.

On March 26, 2018, Judge Jones issued a memorandum and recommendation ("M&R") [D.E. 65]. The M&R reviewed the standard for dismissal of a case for failure to prosecute or failure to comply with court orders. *Id.* at 2. The M&R found that the record and governing law warrant dismissal with prejudice. *Id.* at 2–3.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); *see* 28 U.S.C. § 636(b). Absent a timely

objection, however, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”

Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R and the record. The court is satisfied that there is no clear error on the face of the record. Thus, the court adopts the conclusions in the M&R.

In sum, the court ADOPTS the conclusions of the M&R [D.E. 65] and DISMISSES WITH PREJUDICE the complaint due to plaintiff’s failure to prosecute and her repeated failure to comply with the court’s orders. The clerk shall close the case.

SO ORDERED. This 19 day of April 2018.



JAMES C. DEVER III
Chief United States District Judge